

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

NEONODE SMARTPHONE LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO. LTD.  
and SAMSUNG ELECTRONICS  
AMERICA, INC.,

Defendants.

Civil Action No. 6:20-cv-00507-ADA

**JURY TRIAL DEMANDED**

**PLAINTIFF’S UNOPPOSED MOTION TO EXTEND THE BRIEFING  
SCHEDULE FOR DEFENDANTS’ MOTION TO DISMISS PLAINTIFF’S  
CLAIMS OF WILLFUL INFRINGEMENT AS TO BOTH PATENTS-IN-SUIT  
AND PLAINTIFF’S CLAIMS OF INDIRECT INFRINGEMENT AND DIRECT  
INFRINGEMENT AS TO U.S. PATENT NO. 8,812,993**

Plaintiff Neonode Smartphone LLC (“Plaintiff”) requests that the Court extend the briefing schedule for Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.’s (“Defendants”) Motion to Dismiss Plaintiff’s Claims of Willful Infringement as to Both Patents-In-Suit and Plaintiff’s Claims of Indirect Infringement and Direct Infringement as to U.S. Patent No. 8,812,993 filed on September 25, 2020 (“Defendants’ Motion”). (Dkt. No. 12). This Motion is UNOPPOSED.

The current deadline for Neonode to Respond to Defendants’ Motion is October 9, 2020. Plaintiff requests a two-week continuance of the response date, to October 23, 2020, because Plaintiff’s lead counsel, Philip Graves, commenced a long-scheduled

vacation on September 26 that is expected to run through October 11, 2020, two days after the deadline for Plaintiff to respond to Defendants' Motion.

The parties have met and conferred regarding this motion, and Defendants' counsel has stated that Defendants do not oppose the relief requested herein. This motion is not brought for the purpose of delay.

DATED: September 29, 2020

Respectfully submitted,

By: /s/ Philip J. Graves

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*Counsel for Plaintiff Neonode Smartphone LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29<sup>th</sup> day of September 2020, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(b)(1). Any other counsel of record will be served by a facsimile transmission and/or first class mail.

/s/ Philip J. Graves  
Philip J. Graves